

said: We would like to be able to collect all the information, whether or not it is relevant, because some day, under some situation, we may want to analyze that information, and we would like to have it right at hand.

Now, had there been an adversary in this court, the adversary presenting an opposite point of view would have said: Well, not so quick, because there are standards in the case law for relevance. There are standards for what constitutes an authorized investigation. There are certainly standards for what are the means to present evidence to document this. But there was no contrary opinion in this court because the only one arguing the case with no rebuttal and no examination by any group was the government. So we have the government and a judge. That is not really the theory behind the courts. The idea is that we have an examination of an issue with both sides presented so there can be full articulation and full examination of the issues, and then a judge can decide based on full input. But, in this case, we didn't have that input. The government asked for an interpretation that would allow them to do something far different from the plain language of the law, and they got it from this secret court.

So, yes, we do have secret courts, operated with no input, and they disclose no opinions. And yes, we did have a secret law, and that ended yesterday, as it should have.

Thank you, Mr. President.

Mr. BURR. Will the Senator yield for a question?

Mr. MERKLEY. I will yield.

Mr. BURR. I ask unanimous consent for 1 additional minute before the Senate adjourns.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. My question to the Senator is this: Did he know the FISA Court existed?

Mr. MERKLEY. The existence of the court—

Mr. BURR. It is a simple yes or no answer. Did the Senator from Oregon know the FISA Court existed?

Mr. MERKLEY. The Senator from North Carolina can ask a question, and I get to answer the question.

Mr. BURR. Well, no, you don't. I asked the question, but I did not yield the Senator from Oregon the time.

Mr. President, regular order.

I don't want to take any more of the Senate's time, and I certainly don't want to take any more of my colleague's time.

The fact is that he knows the court existed. Congress has reauthorized section 215 of the PATRIOT Act. The FISA Court has reauthorized it. They reauthorized it. They are asked every 90 days, and they ruled 41 times to allow section 215 to exist.

Mr. MERKLEY. Mr. President, will my colleague yield for a question?

Mr. BURR. I will be happy to yield for a question.

Mr. MERKLEY. Were the opinions of this court, established by law—and,

yes, it is transparent to the public that the court exists. But the question of secrecy is not one of whether it exists; it is a question of whether the process is open in any feasible way to debate between two points of view. Did the Senator from North Carolina know that the opinions of the court, including interpretations of the law, were never disclosed to the American public and were, in fact, kept secret?

Mr. BURR. I actually do know that.

Mr. MERKLEY. Well, thank you, because that does show that in fact there were secret—

Mr. BURR. The Senator asked his question, and I answered, and I still control the time. Thank you.

Now, clearly, it is evident that if we say something wrong enough times, people start to believe it. It is not a secret court. It is not a secret law. The President knows about it, and Members of Congress know about it. We have voted on it. We know what goes on. Fifteen Members of this body have oversight responsibility over the program. We do our job, and we do it well.

Now, we may disagree with what tools we use to try to defeat terrorism in this country, and clearly the Senator and I have a big canyon between us. But I have to tell my colleagues that America expects the Senate and the Congress of the United States and the President of the United States to defend them. I am going to continue to do everything I can to make sure law enforcement and the intelligence community have the tools to do their job because their job is a big one and the threat is big, and for people to ignore that today is irresponsible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, the people of the United States expect the Constitution to be upheld and the principles of the Fourth Amendment. They expect that the law that is passed on this floor will be implemented in an appropriate fashion and consistently, and when it is not, our liberty is diminished, our freedom is diminished, and our privacy is diminished.

Indeed, what we did yesterday with the USA FREEDOM Act was to end a system in which a court, in secrecy, changes the meaning of the law and does not expose it to the American public. That is a very important improvement, taking us back to the democracy that we are all a part of and that we all love.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m. today.

Thereupon, the Senate, at 1:21 p.m., recessed until 2:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. TOOMEY).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—Continued

The PRESIDING OFFICER. The Senator from Washington.

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 1494 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. MURRAY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Ms. CANTWELL. Mr. President, I come to the floor, and I know we are talking about the Defense bill. I know my colleagues are trying to work things out as it relates to the Defense bill, but I am just as concerned about the reauthorization of the Export-Import Bank—a credit agency that helps small businesses in the United States of America—which is expiring at the end of this month, June 30.

As we had discussions on the trade promotion authority act, I was very concerned that we were going to be passing trade policy while at the same time allowing very important trade tools to expire. I still remain very concerned about the small businesses that are here in the Capitol today and that have given much testimony at various hearings—yesterday in the Senate Banking Committee and today in the House Financial Services Committee—about the need for this type of credit agency that helps small businesses ship their products to other countries that are new market opportunities for them.

The reason why this is so important is because other countries have credit agencies—if you will, credit insurance. You are a small business. You want to get your products sold in developing markets. You can't find conventional banking or you can find conventional banking but that bank says it is not going to insure these losses. Thus, what has emerged for the United States of America, Europe, China, Asia, many parts of the world, is what is called credit insurance.

That credit insurance takes the conventional banking and says: We will help secure that conventional banking loan. So that if you are a manufacturer in, say, Columbus, OH, making machinery and you are selling that in China, you actually have an opportunity to sell that product, use commercial banking in Ohio, have that guaranteed

through credit insurance. A lot of business gets done on behalf of the United States of America.

We know this well in the Pacific Northwest because we do a lot of international trade. There are a lot of companies that have learned that the best way for them to grow small business is to become an exporter. So, yes, it may have started with our agricultural economy, where people started trading our agricultural products, but many of our agricultural markets are big export markets. Washington wheat, 90 percent of it is exported. Obviously, people know a lot about aerospace and the fact that the aerospace market is also an export market.

But what people do not realize is a lot of small businesses also became exporters, and they understood that the big market opportunities that are out there for their products are in growing economies around the globe. In fact, there is going to be a doubling of the middle class around the globe in the next several years. There are huge opportunities as those economies have higher income individuals to buy products and services.

So it is natural for us to want to increase exports. That is why the President has had an initiative to double exports over the last several years. I think he has set it for a 5-year period. We made good progress toward that growth in exports. So it really remains one of the biggest economic opportunities for our country, which is to have U.S. companies grow jobs by becoming exporters.

The Import-Export Bank costs zero to the U.S. Treasury. In fact, it actually generates money to the U.S. Treasury. So the notion that we would let a tool of the American economy expire, which literally helps us grow small businesses in the United States and throughout our country, when it actually generates money to our economy and costs us nothing, is something that is pretty hard to believe.

In fact, I do not know where my colleagues are going to come up with the money to pay for the \$670 million hole that you will have in the Treasury if you do not do the Export-Import Bank. It has been a great tool for growing that economy. What we have heard from small businesses now is that they are actually seeing their deals affected. They are in the process of trying to negotiate with a country. Maybe it takes months and months to negotiate a final sale. They are showing up for those negotiations, and the businesses are saying: We are going to buy from somebody else. We are not going to buy from you, U.S. manufacturer. We are going to buy from an Asian manufacturer because it is clear their credit insurance company still works and we don't have to wait. We don't have to wait for the uncertainty of the U.S. Senate or the House of Representatives, so we are going to go ahead and do that business deal with them.

In fact, we have U.S. manufacturers on the Hill today saying they are los-

ing business because the U.S. Senate will not vote on the reauthorization of the Export-Import Bank. So we worked very hard during the trade discussion to guarantee that we would get a vote on the Export-Import Bank before June 30 on a vehicle mutually agreed upon by the supporters here of the Export-Import Bank and Senator MCCONNELL, the Senate leader.

I think what we are saying is we do not think the Defense authorization bill is that vehicle. Obviously, the Defense authorization bill, now under criticism by the White House and threatened to be vetoed, is not a vehicle that is going to get done any time soon, certainly not by June 30, and that is when the Bank expires.

So I guess to my colleagues on the other side of the aisle who continue to hide behind the Heritage Foundation and will not declare whether they support the Export-Import Bank or don't support the Bank, the attempt to put it on another vehicle that is not going anywhere is not going to help American business and the American economy.

The Export-Import Bank in the State of Washington has helped generate \$102 billion in exports and has helped over 230 exporters in our State. Those companies have grown their businesses. We have heard from one. In fact, there is a Web site you can go to for Manhasset Specialty Company, which makes music stands. You can hear a lot about them and how they have grown their business around the globe because they have used the export credit agency.

They do not understand why this Agency is about to collapse. They are concerned about their business. What we hear from a lot of businesses is, if this credit agency is curtailed—which is the wish and desire of the Heritage Foundation, an organization that does not even support our export agenda—basically, about 25 percent of their business, on average, is related to the export market. They say that about roughly 25 percent of their employees will then end up being laid off as those business deals are unwound over the next several months. That means they will not be able to keep and retain current workers.

So my colleagues on the other side of the aisle, by refusing to bring up the Export-Import Bank on a vehicle that could be voted on by the House of Representatives before the end of June, are literally saying to small businesses across America: Go ahead and lay off workers; we don't care.

Now, the reason I have been so passionate about this and out here fighting is not because I don't think the aerospace industry can take care of itself—there is a lot of discussion that the aerospace economy can be built where there are economies that will support credit agency financing—but why I am here is because there are a lot of small businesses that are crafting their products every single day to be the best on the globe. They

are working hard to figure out how to stay ahead of the competition. In fact, we had a hearing when I was the chair of the small business committee with one of my colleagues on the other side of the aisle whose constituents said to us: You know, small business exporting is not for wimps.

I thought that was a great statement. Because what they were saying is it is hard enough to be a small business person, take the financial risk, build a company, have employees, but then you have to go to the point of saying: Well, OK. I am going to ship my product to a new or developing market. How am I going to make that work? It is not like you can just go down the street and figure it out.

So this employer, a big manufacturer—medium-sized, small business manufacturer but big in this small town said: You know, exporting is not for wimps. You are taking risks. One of the things that we have done as a country to help minimize the risk of that small business owner who is helping the U.S. economy grow by expanding his market and hiring new employees is to have a credit agency that provides the insurance to his local bank so the deal can actually get executed.

Well, for some reason, many of my colleagues on the other side of the aisle, after years and years and years of supporting the Export-Import Bank, now all of a sudden do not want to support it anymore because the Heritage Foundation is saying it is something they should not support. In fact, they are giving bonus points on a ranking system as a way to say: We will reward you for trying to get rid of what has been a viable tool for small businesses in our economy.

So we hope our colleagues on the other side of the aisle will soon wake up to the fact that the expiration of such an important tool is not in the interests of our economy and not in the interests of small businesses and will come up with a vehicle for this to get done.

Those on the other side of the aisle who think it is OK that the Bank lapses are putting about \$18 billion of deals at risk that are before the Bank but will not get executed if the Bank closes at the end of this month. So I hope my colleagues will work toward a solution on this issue. I hope they understand the export credit agency is a job creator for small business and will come up with a vehicle so that it must pass by June 30.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I want to express my appreciation to Senator MCCAIN and Senator JACK REED for their leadership on the Armed Services Committee. It is unusual, indeed, and good for the Republic that both of them are Academy graduates—though, the Navy and Army Academies sometimes can be quite competitive. They get along very well and respect each

other, and the committee has done a very good job.

I understand there is some concern by some of our Members concerning the desire to spend more on nondefense money and perhaps use this bill as a hostage to force the Congress to spend more money on other pieces of legislation. I think that would be a very grievous mistake. I have served on the Armed Services Committee now for 18 years, for quite a long time on the Budget Committee. I have spent a lot of time looking at the challenges we face.

I think the world has changed since the Budget Control Act was passed in 2011. In 2011, the President told us: Don't worry. We are pulling everybody out of Iraq and there are not going to be any more problems in Iraq. He did not mention ISIS. In 2011, we did not have the Russian invasion of Crimea. We did not have the continued vicious, violent fight in Syria. We did not have the chaos that is happening in Libya. We did not have the threat to the Iraqi Government's existence—we thought it was on the right path. We did not have the problem in Yemen.

So this is just a different world. Unfortunately, we are going to have to spend some more money for national defense. That is just the way it is. I am a budget hawk. I have looked at the numbers. We are going to have to spend some more money. However, what kind of argument can be made, that if you have to spend more on national defense—and we do have to make some tough choices on national defense—we have to spend more on nondefense? What kind of an argument is that, just for commonsense sake? If you were in a household budget and you had to spend more money on one item, you would probably spend less on the other items. So I would just say that the nondefense discretionary spending that some of my colleagues are insisting need more money before they would vote for the Defense bill, basically has flat funding this year. There is not a cut in non-defense spending. It grows the next 4, 5 years at 2.5 percent growth a year, which is faster than the economy has been growing, frankly. Last quarter the economy was negative.

So we just have to understand that we cannot hold this bill hostage to that kind of argument. I believe we are on the right track with a good armed services bill, with very strong bipartisan support. Apparently, over this budget issue, we lost a few votes in the Committee, but it was a strong bipartisan vote for the bill. As far as I can tell, there are few, if any, big differences on any provisions that are in the bill. So that is good. I think America is going to be pleased that our committee was able to work effectively. So we will spend about \$612 billion for Department of Defense and Department of Energy defense issues. That is a large sum of money. It includes a base budget of \$497 billion and \$89 billion in the Overseas Contingency Operations fund. It is an

increase in OCO over last year, but it is still well below the peak of OCO's funding that we had in years past.

I just have to say, the world is a more dangerous place than it has been. The legislation authorizes \$135 billion for military personnel, including pay, allowances, bonuses, death benefits, and permanent change of station moves. It authorizes an across-the-board pay increase of 1.3 percent for uniformed servicemembers in grades O-6, colonel and below.

The legislation authorizes \$32.2 billion for the defense and health programs, authorizes fiscal year 2016 Active-Duty strength for the Army—475,000. Some are saying we are going to have to go to 450,000. Maybe we will have to go to 450,000. But right now, we need to slow that reduction based on the world situation. The Navy forces will be 329,000; Marine Corps, 184,000; Air Force, 317,000. So this is a good markup. I think it moves us in the right direction.

The strategic forces provisions contained in the 2016 authorization bill are important. As chairman of the Subcommittee on Strategic Forces, I am pleased to inform my colleagues that the bill before them represents a bipartisan consensus in support of the President's plans and the Congress's plans to modernize nuclear forces and improve and expand U.S. missile defense capability.

I want to express my particular appreciation to the ranking member, Senator DONNELLY of Indiana, who approaches these sometimes difficult and controversial issues in a nonpartisan, constructive manner. He has been closely involved in every aspect of the work of the subcommittee, from the hearings we have held to the bill's final markup.

This year, the portion of the budget request falling under the subcommittee's jurisdiction for missile defense, nuclear forces, military space, and the Department of Energy atomic defense activities included a total of \$70.5 billion, including \$22.5 billion for procurement, \$27.8 billion for research and development, \$1.4 billion for operations and maintenance, and \$18.7 billion for the Department of Energy.

The Missile Defense Agency. In the area of missile defense, the bill fully funds the President's request of \$8.2 billion for the Missile Defense Agency. I think we agree with that. It recommends an increase of \$330 million for Israeli cooperative missile programs, including U.S. coproduction of the David's Sling and Arrow systems of Israel, and recommends an increase of \$50 million to support modernization of the interceptor used for the U.S. ground-based midcourse defense system that would protect the homeland.

So this needs to be done. We have to get our interceptor systems at the highest level, and there are some difficulties we face now with that system. I think some of the criticisms or concerns are overstated, but it is not

where we want it to be, and we need to be moving in that direction. It can be fixed. We know that. And there are just some things we need to work on there.

The bill recommends an increase to facilitate MDA's ongoing development of laser programs, which is a new system. It is different from what it has been in the past. And I am proud—I believe it has real potential and a lot of other things.

The nuclear forces issue is significant. The bill would fully fund the President's budget request to operate, maintain, and modernize the nuclear triad and associated systems. This is essential. We must modernize these weapons, many of which are 40 years old and utilize vacuum tubes in their systems.

The bill includes an additional \$1 billion in 2016 to support the recommendations of the nuclear enterprise review completed in 2014. We need to listen to those review systems and respond appropriately. I believe this mark does.

To ensure that the Department is planning for the full range of nuclear conflict scenarios, the bill includes a provision that would direct the Department of Defense to conduct a net assessment of the global nuclear security environment, including the range of contingencies and scenarios where U.S. nuclear forces might have to be used.

I would just say personally that I think it is time for us, in this dangerous world, to quit talking about nuclear zero—people who doubt our resolve sometimes doubt that we are willing to follow through. I wish zero would happen. It is not going to happen anytime soon, that is for sure, so we are going to have to maintain a nuclear arsenal. We need to talk about maintaining it, modernizing it, making it safer, and making it more reliable and more accurate. Maybe we can reduce the numbers some more, but we need to be talking less about reducing numbers and more about assuring the world that we have the best nuclear capabilities anywhere on the planet and that they are ready to be deployed and can be deployed. Heaven forbid that would be necessary. That is just why we have these forces.

The bill includes a provision that would require the Secretary of Defense to develop options to respond to the Russian violation of the 1987 Intermediate-Range Nuclear Forces Treaty, including countervailing, counterforce, and active defense programs. We have violations going on; those can't just be accepted.

The Department of Energy gets funding for its defense nuclear capabilities, and we continue rigorous oversight of the warhead life extension and construction program that would support a reliable and modernized nuclear stockpile. I think we are on the right track there for sure.

The bill includes a number of provisions to improve congressional oversight of NNSA activities and track the

recommendations of the Congressional Advisory Panel on the Governance of NNSA.

We need better coordination with the Department of Energy. I think we are moving in that direction. Over the last several years, I have pushed for it aggressively, and I think progress is being made. More needs to be done.

Military Space. Our whole Defense Department depends more than most people realize on our ability to maintain space capabilities, and I think this bill funds those programs effectively. The bill would require the Secretary of Defense, in a new idea, to designate one individual to serve as the principal space control adviser who shall act as the principal adviser to the Secretary of Defense on space control activities. I think that will help.

With respect to program oversight, the bill would prohibit the use of funds for the Defense Meteorological Satellite Program or the launch of the Defense Meteorological Satellite Program satellite number 20 until the Secretary of Defense and the Chairman of the Joint Chiefs provide a certification that nonmaterial or lower cost solutions are insufficient. Senator MCCAIN has challenged us all to maintain oversight of these programs and to contain costs. I think this can help do that.

In conclusion, I restate my belief that our committee has worked in a positive way. We have taken the advice of the President and of the Defense Department. We have examined it in an appropriate way and produced this bill that I believe will strengthen our national defense, with strong backing to modernize and expand our missile defense capabilities and to strengthen our deployed forces, allies, and partners.

So I hope we don't have a fuss over demands to increase spending for non-defense when we are supposed to be funding the Defense Department. If there are arguments to be made in that regard, they should be made on another bill when those bills come up and ought to be brought forth in that fashion. I think it would be wrong and a big mistake to use the Defense appropriations and authorization bills in any way as some sort of a hostage to force spending in other areas.

The bill is a good bill. It puts us on the right course. It has broad bipartisan support. If we can avoid those kinds of political gymnastics, I think we will be in a good position to properly take care of the people we have deployed to defend our country and to maintain the security of our homeland.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 1456 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, I call up amendment No. 1456, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1456 to amendment No. 1463.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require additional information supporting long-range plans for construction of naval vessels)

At the end of subtitle C of title X, add the following:

SEC. —. ADDITIONAL INFORMATION SUPPORTING LONG-RANGE PLANS FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(b)(2)(C) of title 10, United States Code, is amended by inserting "by ship class in both graphical and tabular form" after "The estimated levels of annual funding".

Mr. MCCAIN. Mr. President, in consultation with Senator REED, I ask unanimous consent that the next amendments in order be Reed No. 1521, Portman No. 1522, Reed or designee amendment, followed by Cornyn No. 1486—whether those amendments will require yeas and nays or voice vote we will figure out as we move through the amendments; further, that the regular order with regard to these amendments be the order as I stated regardless of the order offered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Rhode Island.

AMENDMENT NO. 1521 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I call up Reed amendment No. 1521.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 1521 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011)

At the end of subtitle B of title XV, add the following:

SEC. 1523. LIMITATION ON THE AVAILABILITY OF OVERSEAS CONTINGENCY OPERATION FUNDING SUBJECT TO RELIEF FROM THE BUDGET CONTROL ACT.

(a) LIMITATION.—Notwithstanding any other provision of this title, of the total amount authorized to be appropriated by this title for overseas contingency operations, not more than \$50,950,000,000 may be available for obligation and expenditure unless—

(1) the discretionary spending limits imposed by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by section 302 of the Budget Control Act of 2011 (Public Law 112-25), on appropriations for the revised security category and the revised nonsecurity category

are eliminated or increased in proportionally equal amounts for fiscal year 2016 by any other Act enacted after December 26, 2013; and

(2) if the revised security and the revised nonsecurity category are increased as described in paragraph (1), the amount of the increase is equal to or greater than the amount in excess of the \$50,950,000,000 that is authorized to be appropriated by this title for security category activities.

(b) USE OF FUNDS AVAILABLE UNDER SATISFACTION OF LIMITATION.—

(1) TRANSFER.—Any amounts authorized to be appropriated by this title in excess of \$50,950,000,000 that are available for obligation and expenditure pursuant to subsection (a) shall be transferred to applicable accounts of the Department of Defense providing funds for programs, projects, and activities other than for overseas contingency operations. Any amounts so transferred to an account shall be merged with amounts in the account to which transferred and available subject to the same terms and conditions as otherwise apply to amounts in such account.

(2) CONSTRUCTION OF AUTHORITY.—The authority to transfer amounts under this subsection is in addition to any other transfer authority in this Act.

Mr. REED. Mr. President, I am prepared to debate this. I have talked about it before, but I am prepared to debate it extensively over the next several days, and my colleagues are also.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1522 TO AMENDMENT NO. 1463

Mr. PORTMAN. Mr. President, I rise today to talk about the National Defense Authorization Act and offer a bipartisan amendment with Senator PETERS that will strengthen this very important underlying legislation we are working on.

As you know, the security threats around the world continue to grow. A lot of experts believe that ISIS is now the best trained, best equipped, and best financed terror organization we have ever seen. Al Qaeda continues to threaten our own country. If you look at what is going on around the world, Hamas and Hezbollah are constantly looking to wage war on Israel. The regime in Iran remains the world's No. 1 state sponsor of terrorism, and they are pursuing nuclear weapons. China continues to intimidate its neighbors in the South China Sea.

We live in a dangerous and volatile world. As a result of these international events and developments, among others, it is absolutely imperative that we maintain a strong national defense to protect our homeland and to defend our allies.

With all these crises around the world competing for our attention, we sometimes neglect another crisis, one that Chairman MCCAIN has constantly reminded us about, and that is the situation in Ukraine, which could easily spin out of control at any time. In fact, news out of eastern Ukraine this morning is particularly troubling. It appears that the latest Russian and separatist attacks on Ukrainian positions this morning may be the final blow to what was, in fact, a ceasefire in name only.

Russia is increasingly aggressive on the European continent. We need to be acknowledging that and dealing with that in this underlying legislation.

I just returned from a trip to Ukraine in April, a year after I had the privilege to be there leading the congressional delegation to monitor the election of President Poroshenko. I went with my friend and colleague, Senator BEN CARDIN. A lot has happened since that last election. I learned about this in my meetings most recently with Prime Minister Yatsenyuk, President Poroshenko, and other Ukrainian individuals. They have reached a pivotal moment in Ukraine.

The Ukrainian people have sacrificed in hopes of securing a democratic future for their country. However, they need our help. They need sustained economic, military, and political support from the United States and from our NATO allies. It is absolutely critical to this vision of a democratic Ukraine, a free Ukraine, coming to fruition.

In my view, the people of Ukraine have made a very clear and unequivocal choice, and we need to stand with them. Their choice is to pursue a pro-Western, democratic path. Their government has been responsive to that choice by making progress in fighting decades of endemic corruption that has left the country weak and, frankly, unprepared for the Russian aggression that has occurred. However, none of these reforms will mean much if Ukraine is unable to secure its borders or defend its sovereignty.

The NDAA before us has a lot of important provisions related to this crisis in Crimea and along the eastern border of Ukraine. I applaud Chairman MCCAIN and Ranking Member REED for their efforts on it. I hope we will be able to entertain a few other amendments in this process that will even strengthen the U.S. posture and support of Ukraine.

I look forward to being on the floor later this week to talk about this situation in Ukraine in more detail. This afternoon, however, I have come to the floor to talk about a related amendment that is of great importance as this situation in Eastern Europe continues to destabilize.

Following my visit to Ukraine this spring, I visited Latvia. I went there because I wanted to spend some time with U.S. soldiers from an Abrams tank company who were there on a NATO mission. I am sure most of my colleagues know that recent force structure changes moved our two heavy armored brigades out of Europe. This armored unit I saw in Latvia and the other two companies in the Baltics today are only there on a rotational basis this spring, and they will soon return home to the United States, in this case to Fort Stewart.

These units are sending an important message to our allies, such as those in the Baltics—and, believe me, the Latvians are extremely appreciative—but they are only temporary. What

they are really looking for is a permanent presence. That is what sends the stronger message.

The big news when I was over there was that there was a road march being conducted by the 2nd Cavalry Regiment through Central and Eastern Europe. The 2nd Cavalry Regiment is in Europe, but they were taking this road march through Central and Eastern Europe. This was taking their Strykers, which is the only permanently stationed U.S. armored vehicle in Europe, on roads and through small towns—towns that fear an increasingly aggressive Russia on their doorstep.

The unit was doing all it could to help reassure our allies and demonstrate U.S. resolve, but, frankly, they were doing all they could with what they have, and what they have is not enough. They do not have what they need.

This unit has communicated this urgently to us here in the Congress. Their weapons systems are, frankly, inadequate to meet their potential mission requirements if they are called upon. They need a more powerful gun. They need to replace their .50-caliber machine gun with a 30-millimeter cannon. The soldiers understand that. The Army understands that.

The Army has already identified this requirement, and prior to the deteriorating situation in Europe, they slated to field this improved weapons systems to these Strykers starting in 2020. So they knew it was a problem. They knew they had to address it. Then we saw this deteriorating situation in Europe caused by Crimea's being annexed and now the situation on the eastern border of Ukraine.

The soldiers manning these Strykers today know that 2020 is just too far in the future, and Army leadership agrees with them. On March 30 of this year, U.S. Army Europe submitted an operational needs statement to Army Headquarters to address this urgent capability gap in the 2nd Cavalry Regiment. Specifically, according to the needs statement, the unit lacks “the lethality of a direct fire weapons system to engage similar units or those supported by light-armored vehicles.”

On April 22, Army Headquarters validated this high priority need and assigned this requirement to the program manager for execution. To shave several years off of the fielding timeline, however, the Army needs additional funding in fiscal year 2016. They need it now.

That is exactly what this amendment does. The review of these requirements by the Army was occurring while the Defense bill was being marked up in committee. The House appropriators, the first to mark up since the Army communicated its requirement, have fully funded the need.

I want to thank Chairman MCCAIN and the ranking member for their consideration and for including this important funding into this bill, even though the urgent need was communicated only very recently.

By the way, just to be clear, because I have heard discussion about this on the floor today, this turret and gun system—the cannon itself—will be competed, and that is appropriate.

This increase in funding is fully offset by taking additional reductions from the expected surplus from the foreign currency fluctuations as identified by GAO. The additional reductions taken by this amendment still won't match the reductions, by the way, that the House has taken from these accounts.

I want to thank the Members of our body here in the Senate for their support of this amendment. Senator PETERS, my colleague from Michigan, has been my partner on the other side of the aisle in this effort. He has been a strong supporter of giving our soldiers what they need in Europe and sending that strong message we talked about earlier.

Senator COTTON talked about this issue in the Armed Services Committee. He is chairman of the Airland Subcommittee, and he has worked hard on this, as well as have other Armed Services committee members, including Senator INHOFE, Senator SESSIONS, Senator WICKER, Senator TOOMEY, who is our Presiding Officer, and, of course, Senator MCCAIN.

This amendment is of vital importance for our forward-deployed troops. It also sends a critical message at this time of great uncertainty in Europe. I urge my colleagues to support this. It is bipartisan and it is needed, and I urge its swift adoption.

Because of that, Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1522.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Ohio [Mr. PORTMAN] proposes an amendment numbered 1522 to amendment No. 1463.

Mr. PORTMAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide additional amounts for procurement and for research, development, test, and evaluation for Stryker Lethality Upgrades, and to provide an offset)

At the end of title I, add the following:

Subtitle E—Army Programs

SEC. 161. STRYKER LETHALITY UPGRADES.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 101 for procurement is hereby increased by \$314,000,000, with the amount of the increase to be available for procurement for the Army for Wheeled and Tracked Combat Vehicles for Stryker (mod) Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for

procurement for Stryker (mod) Lethality Upgrades is in addition to any other amounts available in this Act for procurement for the Army for Stryker (mod) Lethality Upgrades.

(b) ADDITIONAL AMOUNT FOR RDT&E, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 201 for research, development, test, and evaluation is hereby increased by \$57,000,000, with the amount of the increase to be available for research, development, test, and evaluation for the Army for the Combat Vehicle Improvement Program for Stryker Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for research, development, test, and evaluation for Stryker Lethality Upgrades is in addition to any other amounts available in this Act for research, development, test, and evaluation for the Army for Stryker Lethality Upgrades.

(c) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by \$371,000,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

Mr. PORTMAN. I yield the floor.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, while the Senator from Ohio is here, I want first of all to commend him for his interest in the Stryker program. It is one of those vehicles that have been extraordinarily effective in protecting our soldiers in their efforts both in Afghanistan and Iraq. It is a critical program.

The amendment would add \$371 million of funding. We all understand this is a very difficult budget environment, and I would point out that the Army submitted their unfunded requirement list to the committee in March. This was not on their request. However, it is my understanding that the request for additional funding is driven by a new requirement that actually became evident in April of 2015. So the issue could have been that they weren't as aware of it as they should have been. But for the record, this is not part of the unfunded requirement list of the Army.

We did not have the chance, as a result, to look at this as an approach that we would include in our Defense appropriations bill. It was not literally on the radar screen until April, and it didn't come up formally with their unfunded request. So I am concerned that these lethality improvements have not been fully vetted by the committee, by the Department, and also by the Department of Defense.

There is another issue here, too. This is a first step in a multiyear program, and we are not quite sure at this point,

over the next several years, how much more money we would have to commit to production, testing, training, and logistics.

The other area of concern—not just in terms of looking closely at the program, the need, and the long-term budgetary effects—is the pay-for, which is an offset for foreign currency accounts. The Department's request has already been reduced by \$550 million. We have literally taken that money from their currency accounts, and now we are going to take another \$371 million. So we are really getting very, very close to what this account can bear in terms of costs added to it.

Again, I think since it is O&M—that is the basic account we are taking it from to put in a platform—it raises the other issue that is so central to everything the chairman and many of us have been doing, which is how do we keep the Army ready, and there is a trade-off. There is a trade-off between new platforms and making sure the soldiers we have are training on the existing platforms and doing their work.

So I would express some strong reservations. I would be happy to work with the Senator from Ohio. I understand this is driven by his commitment to making sure our soldiers have the best equipment in the world.

I yield the floor.

Mr. PORTMAN. Mr. President, first, I appreciate the ranking member's comments, and I look forward to working with him on this. We talked about this on the floor a moment ago. This is something the Army has requested. They came late; he is absolutely right. They did make a request in March, in terms of submitting this operational needs statement, but it wasn't until April 22 that they actually validated this high priority need and assigned it to the program manager. So the committee didn't have the opportunity to look at it as they have others.

I will say it is urgent, and having just been over there and seeing one of those temporary armored companies about to leave, they need this badly. What they are saying is that the 30-millimeter cannon is necessary to go up against any potential enemy, and the .50-caliber machine gun simply is not. So this is not moving more Abrams tanks into the area. It is taking these Strykers and upgrading them, and they have identified this as an urgent need.

So I look forward to working with the ranking member on this. I hope we can work through this, even in the next several days here, to get this done, because it is so important. It will be competed. It is a turret and gun system. It is something that does require an offset, and that offset—by the way, the account the GAO has identified as having a certain amount of funding does have that much room left in it and more, we are told. And also the House has already taken more out of this currency fluctuation account than the committee has.

So I again thank the ranking member for working on this. I know he too has a strong commitment to our soldiers who are there to be sure they have what they need in order to complete their mission in an increasingly volatile environment in Europe.

With that, I yield back for my colleague from Rhode Island.

Mr. REED. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1486 TO AMENDMENT NO. 1463

Mr. CORNYN. Mr. President, as we begin this very important discussion about how we go about the business of defending our country and preserving the peace and our national security, I think it is really important we look at all of the elements of American power. We are very familiar with the fact that we have the world's best military—best equipped, best trained, with the most technologically advanced weapons systems. But we also ought to look at America's other sources of great power, and that means things such as soft power.

Let me explain. Here is the problem. Many NATO countries—our allies in Europe, the North Atlantic Treaty Organization countries—many of which are former satellites of the Soviet Union and are now being intimidated by the Russian Federation, rely heavily on energy resources from Russia, creating what I think can euphemistically be called a strategic vulnerability. Many of them are just downright scared about what it means in terms of their ability to survive a Russian intimidation.

According to a recent Wall Street Journal op-ed by former National Security Advisor Steven Hadley and former Secretary of Defense Leon Panetta, 14 countries that are a part of NATO buy 15 percent or more of their oil from Russia.

The distinguished chairman of the Armed Services Committee, who is not on the floor right now, famously said: Russia is a gas station masquerading as a nation. It produces prodigious sources of energy, but, unfortunately, they view energy as one of their weapons.

So the fact that 14 of these NATO countries buy 15 percent or more of their oil from Russia is a real vulnerability for them. Several other countries in Eastern and Central Europe buy more than 50 percent of their energy supply from Russia. As I said, Russia has huge sources of oil and gas, but they are using them not only as a source of economic strength and to provide for the Russian people, but they are using them as a source of intimidation and coercion.

For example, in January of 2009, Russia effectively turned off the natural gas to Ukraine. This affected at least 10 countries in Europe that rely upon natural gas that crosses Ukraine from Russia. According to a report released last fall from the European Commission, several countries in Europe could

lose up to 60 percent of their gas supply if their supply lines from Russia are disrupted. That is the problem.

Here is what I propose is one of the things we can do about it. The United States, of course, has experienced an energy renaissance in recent years, thanks to the technology produced by the private sector—most specifically, the use of fracking in conjunction with horizontal drilling—which has turned America into an energy powerhouse. Not that many years ago, people were talking about peak oil. In other words, they basically were making the argument that all the oil that could have been produced was being produced, and we would now then be in a period of decline. That proved to be wrong.

Now, thanks to this huge production of American energy, we know we can use our ample energy resources not only to supply our own needs here at home but to use the surplus to reassure our allies and our partners and to reduce their dependence on bad actors, such as Russia and Iran.

If we think about it, some of the sanctions which we have deployed against both Iran and Russia for their bad behavior—one of the most effective ones is the indirect sanction of lower oil and gas prices because, frankly, Mr. Putin has calculated that oil prices would remain very high, and when they get low, that means he doesn't have the financial wherewithal in order to make some of the mischief that he and Iran are so noted for.

The United States, of course, has significantly diversified our energy resources. The United States has consumed the lowest level of imported petroleum in the last 30 years. That was this last year. Let me repeat that lest it be lost.

Last year, the United States consumed the lowest level of imported petroleum in the last 30 years. According to the International Energy Agency, today the United States is the largest oil and natural gas liquids producer in the world, surpassing Saudi Arabia, for example.

I have filed a number of amendments, and I intend to call up one of those in a moment, but let me describe briefly the amendments we have filed that I think help provide some progress toward a solution for the problem I have described.

In light of this new geopolitical landscape, I have offered several amendments that would further our strategic position in the world while also strengthening our allies, making them less vulnerable to the intimidation and bullying tactics of the Russian Federation under Vladimir Putin. These amendments aim to help NATO and our other allies in Europe diversify their energy resources and lessen their dependency on energy supplies of some of our major adversaries such as Russia and Iran.

The first amendment would point out the existing authorities the President already has under current law related

to energy exports if he determines it is in our national interests. Of course, this is an authority under current law that applies not only to the present occupant of the White House but would also apply to his successor.

This amendment expresses the sense of the Congress that the President should exercise these current authorities to aid our allies and partners in Europe and elsewhere. To help the United States get smart on how Russia currently uses its energy program as a weapon against our allies and partners, this amendment would mandate also an intelligence assessment to better understand the vulnerabilities of NATO and our other allies and partners in Europe. Then, it would also expand the requirements of the Pentagon's annual Russia military power report to mandate analysis of Russia's ability to use energy supplies as a tool of coercion or intimidation against our allies and partners in Europe.

So this would restate the present authorities the President of the United States currently has to produce and sell oil and gas to our allies in Europe, such as Ukraine and other NATO allies. It would require an additional intelligence assessment to make sure we understand fully the implications of this vulnerability that Europe and our NATO allies have to Russia and its intimidation tactics. Third, it would expand the requirements of a current report that the Pentagon makes on an annual basis called the Russian military power report to mandate an analysis of Russia's ability to use energy supplies as a tool of coercion or intimidation.

Two other amendments which we filed—which I will not call up at this time—would help reduce the need for U.S. allies to purchase energy from Russia and Iran. It would do this by adding a specific exception to the law that would allow crude and natural gas exports to allies and partners when their energy security is compromised.

For example, if a NATO ally or partner—such as Ukraine or Japan—requests additional energy exports from the United States, the President must approve it in a timely fashion if he finds it to be in the national interests of the United States. This would provide our allies and our partners with an additional source of fuel and a little additional reassurance that if they are subjected to the kind of intimidation and coercion I mentioned a moment ago, that we, as their friend and their ally, would supply them with an alternative source of energy they need in order to keep the lights on and keep their economy running.

Finally, we filed an amendment that would amend the Natural Gas Act to require the Secretary of Energy to approve liquefied natural gas exports to the North Atlantic Treaty Organization countries and other named partners and allies. This uses the same preferential treatment that is already given to our free-trade agreement part-

ners, which are automatically deemed to be in the public interest.

In conclusion, these amendments are designed to address a very specific problem and a very specific vulnerability of some of our closest allies in Europe and to relieve them from some of the pressure of Russian intimidation and coercion when Russia attempts to use energy as a weapon. We can use this as an important element of our soft power to help our allies relieve this coercion and intimidation.

These amendments would strengthen the strategic hand of the United States in a world that grows more complicated by the day, not to mention more dangerous.

I encourage my colleagues to support them and, by doing so, take a long-term view of our own national security as well as the peace and stability of some of our most trusted allies and partners.

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1486.

The PRESIDING OFFICER (Mr. SCOTT). Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 1486 to amendment No. 1463.

Mr. CORNYN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security)

At the end of subtitle D of title XII, add the following:

SEC. 1257. REPORTING ON ENERGY SECURITY ISSUES INVOLVING EUROPE AND THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.—Section 1245(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566) is amended—

(1) by redesignating paragraph (15) as paragraph (16); and

(2) by inserting after paragraph (14) the following new paragraph:

“(15) An assessment of Russia's ability to use energy supplies, particularly natural gas and oil, as tools of coercion or intimidation to undermine the security of NATO members or other neighboring countries.”.

(b) REPORT ON EUROPEAN ENERGY SECURITY AND RELATED VULNERABILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report assessing the energy security of NATO members, other European nations who share a border with the Russian Federation, and Moldova.

(2) ELEMENTS.—The report required under paragraph (1) shall include assessments of the following issues:

(A) The extent of reliance by these nations on the Russian Federation for supplies of oil and natural gas.

(B) Whether such reliance creates vulnerabilities that negatively affect the security of those nations.

(C) The magnitude of those vulnerabilities.

(D) The impacts of those vulnerabilities on the national security and economic interests of the United States.

(E) Any other aspect that the Director determines to be relevant to these issues.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

SEC. _____. SENSE OF CONGRESS ON WAYS THE UNITED STATES COULD HELP VULNERABLE ALLIES AND PARTNERS WITH ENERGY SECURITY.

It is the sense of Congress that—

(1) the Energy Policy and Conservation Act of 1975 (Public Law 94-163) gives the President discretion to allow crude oil and natural gas exports that the President determines to be consistent with the national interest;

(2) United States allies and partners in Europe and Asia have requested access to United States oil and natural gas exports to limit their vulnerability and to diversify their supplies, including in the face of Russian aggression and Middle East volatility; and

(3) the President should exercise existing authorities related to natural gas and crude oil exports to help aid vulnerable United States allies and partners, consistent with the national interest.

Mr. CORNYN. Mr. President, I appreciate the courtesies of the chairman and the ranking member to allow this amendment to be called up and to give me a chance to explain its importance and how it fits into the national security strategy of the United States. I know we don't typically tend to think of our energy resources as being an element of our national strength and power that we can project beyond our borders in a way that helps aid our allies and friends and reduces the influence of our adversaries, such as Iran and Russia, but I hope my colleagues will take a close look at this amendment and, when the time comes, vote to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1540 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent to set aside the pending amendment and, on behalf of Senator BENNET, call up amendment No. 1540.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. BENNET, proposes an amendment numbered 1540 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Comptroller General of the United States to brief and submit a report to Congress on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects)

At the end of subtitle G of title X, add the following:

SEC. 1085. COMPTROLLER GENERAL BRIEFING AND REPORT ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall provide to the appropriate committees of Congress a briefing on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects, as defined in section 8104(a)(3)(A) of title 38, United States Code.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the administration and oversight described in subsection (a).

(c) ELEMENTS.—The briefing required by subsection (a) and the report required by subsection (b) shall each include an examination of the following:

(1) The processes used by the Department for overseeing and assuring the performance of construction design and construction contracts for major medical facility projects, as so defined.

(2) Any actions taken by the Department to improve the administration of such contracts.

(3) Such opportunities for further improvement of the administration of such contracts as the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. MENENDEZ. Mr. President, once again, the truth proves elusive when we are dealing with Iran's unpredictable regime. I refer to a New York Times article that is entitled “Iran's Nuclear Stockpile Grows, Complicating Negotiations.” Among elements of the article—and I know the article is being disparaged by the State Department; I will talk about that in a moment—but among the elements of the article is the fact that Iran's stockpile of nuclear fuel has increased about 20 percent over the last 18 months of negotiations—increased—increased 20 percent in the last 18 months of negotiations.

In essence, we are to be convinced “that Iran will have to shrink its stockpile by 96 percent in a matter of months after a deal is signed, even while it continues to produce new material and has demonstrated little success in reducing its current stockpile.” I am reading from the Times article.

It goes on to say, in part, “That means Iran . . . would have to rid itself of more than nine tons of its stockpile in a matter of months.”

In a matter of months.

Now, this is a continuing challenge that we have as we look at these negotiations. We are supposedly in the final months. The end of this month is when we are hopefully going to come to some type of an agreement. We see what has been a challenge from the very beginning. It is a challenge I have cited time and time again.

How much of these numbers are done because of Iran's desire to push the numbers upward? Is that for a political purpose? Is it for a negotiating purpose? Is it for a technological inability? Whatever it is, the numbers published Friday by the International Atomic Energy Agency, the independent agency for which so much of the Joint Plan of Action and any future agreement that might be consummated—this is the entity we are depending upon. Well, this entity has said that Iran has continued to enrich uranium aggressively, even though it knew it was not meeting its goals of converting its stockpile into reactor rods. This is a real question that I have.

Another independent group, the Bipartisan Policy Center, said in February that Iran has failed to do the conversion.

We knew from the beginning it was going to be difficult for the Iranians to blend down rather than ship out because they have this aversion to shipping out. This was all possible if they would ship out, but they have consistently said they will not ship out their fuel. We knew it would be a concern if they weren't able to do what they pledged to do and, frankly, I am concerned.

I am concerned this is just another diplomatic sleight of hand by an untrustworthy negotiating partner. I am concerned Iran is still saying it will not ship out excess low-enriched uranium but rather blend it down and

store it. I am concerned this is more of an issue than the administration is willing to concede, particularly if there is no deal, and we, in essence, with sanctions relief have paid them to convert, and then they walk away with massive amounts of low-enriched uranium that can be fed into their centrifuges and converted to highly enriched uranium.

Let's be clear. The tracking and verification of uranium mines and mills—which were often talked about as part of why we will have a safeguard if there is a deal—to centrifuges only works if Iran gets rid of its stockpiles. It doesn't work any other way. It does not work any other way. The New York Times has identified a real problem with the mechanisms being used to control Iran's nuclear stockpile. The simplest solution would be to ship Iran's stockpile out of the country. This would prevent any question of a buildup of material. However, Iran has refused to do this—at least to this date publicly—and opened the potential for Iranian manipulation about what is going on.

There may be technical reasons for the 20-percent increase in low-enriched uranium, but one certainly has to wonder: Are they delaying? Are they really having problems building a conversion facility—something I specifically expressed concerns about early in the process—or is this simply another attempt to play fast and loose with the truth, cover it up, and buy time? Is it a negotiating posture? So as they come closer and closer to the deadline, they have all of this enriched uranium, and there is this compulsion to strike a deal—not a good deal but a deal at any cost.

While this may not be a technical violation of the Joint Plan of Action, the Iranians were supposed to have reached the agreed-upon goal. The fact is, midway through the process, we are told there could be a delay. But clearly the timetable has slipped even further away.

I know the State Department has gone after the article, which, in part, is based on facts from the International Atomic Energy Administration. The administration has gone out of their way to attack the premise of the article because I guess anything that would upset the fundamental belief that we have to have a deal at any cost is problematic for the State Department.

But I have to be honest with you. As I read the State Department's response, it means to me that their main response appears to be that Iran is not in technical violation of the Joint Plan of Action because it still has a month left to transform all of the extra low-enriched uranium that it has created in recent months into oxide.

This pushback is pretty much something we should have expected because it is the only argument the administration actually has available to it to explain this, and it is the same argument

they used when many of us were raising the concerns that Iran was busting through their oil export caps set under the Joint Plan of Action every month. We were consistently told: Well, next month the Iranians will ship even less, and therefore it will all even out. Well, the fact is that when time ran out, the exports of Iran remained way above what was allowed, and then the administration shifted to an explanation only to suggest that certain types of oil just do not count. There is always a reach here to try to get a justification for Iran.

I think the State Department's response totally misses the point of the New York Times article. The upshot of the piece is not that there is no way for Iran to meet its Joint Plan of Action obligations in theory—in theory; it is that Iranians have stockpiled so much low-enriched uranium that it is all but impossible for them to meet those objectives in practice. The Iranians may have calculated that they do not have to do so and that the administration is not about to blow up an impending nuclear deal over a violation of past agreements if those violations bear directly on Iranian intentions and capabilities to implement the agreement.

There is another group who has been before the Senate Foreign Relations Committee. When I was the chairman, we called them several times, and I think Senator CORKER, the new chair, has a deep respect for them as well—the Institute for Science and International Security. They have posted their analysis of this specific question: Will Iran be able to meet its obligation regarding its 5 percent low-enriched uranium?

In the response to that question, the Institute for Science and International Security, David Albright, who is arguably one of the most respected voices on Iran's nuclear program, comes to this conclusion: Iran has fallen behind in its pledge to convert its newly produced low enriched uranium hexafluoride into oxide form. There are legitimate questions about whether Iran can produce all of the requisite LEU oxide.

Iran has fed a total of 2,720 kilograms of 3.5 percent low-enriched uranium hexafluoride into the EUPP—the vehicle by which they ultimately have the conversion—but it has not fed any 3.5 percent low-enriched uranium hexafluoride into the plant since November of 2014—November of last year.

By the end of June—they go on to say—in order to meet its commitment under the Joint Plan of Action, Iran must finish converting the 2,720 kilograms of low-enriched uranium into oxide, introduce it into that vehicle and convert it into oxide.

They go on to say: Thus, Iran has clearly fallen behind in its pledge under the Joint Plan of Action.

On a policy level, the institute's analysis emphasizes that Iran's refusal to meet its obligation “show the risk posed by relying on technical solutions

that have not yet been demonstrated by Iran”—so technical solutions that we say: If, in fact, they can do this, this may be part of our way in which we can strike a deal, but Iran has not demonstrated meeting those technical solutions. Iran is under sanctions and in the middle of negotiations. Yet, we still cannot rely upon them.

I think this is a serious concern not to be minimized. This is at the same time that Iran is boarding commercial ships in the Strait of Hormuz, firing at some of them. This is the same Iran that is in the midst, as a country, of going ahead and is engaged as the largest state sponsor of terrorism in the world, in Lebanon, in Syria, in Iraq, in Yemen. Yet, even as we are in the midst of the negotiation, all of these things are taking place, and even if we want to wall off all of the nonnuclear acts of Tehran that have to worry us and concern us in terms of our national security and international order, as it relates to the nuclear portfolio, they do not seem to be headed in the direction of what is clearly necessary in order to meet their obligations under the Joint Plan of Action. They do not seem, at least in this point in time, to be technically capable of doing that even though these are the fixes we are looking for.

At the end of the day, you have to really wonder why we continue to find a way to excuse Iran in every element. We had something that was found independently and reported to the United Nations Security Council commission that deals with questions. They were ultimately fueling one of their rods. This was raised and, again, it was responded to. It was deemed de minimis. We had oil exports greater than what they were allowed. We explained it away, saying: Well, certain types of oil were not counted. We have a set of circumstances where they have raised their fuel capacity, not lowered it, even as they are headed toward an agreement in which they have to dramatically reduce it.

So I have a real problem in consistently seeing the willingness to stretch to allow Iran to get where it is today. It is that view which let the world, unfortunately, allow Iran to get to the point of a precipice of having nuclear power that it can convert to a nuclear weapon. That is not in the national interests and security of the United States.

I have the intention in this period of time to consistently come to the floor and raise these issues as they evolve and rear their heads at a critical moment. I think we have to be very committed to knowing the truth here.

While all of us aspire to have an agreement that can truly stop Iran's path toward a nuclear weapon and that that be something which is not just limited in time because the Persians have for 5,000 years been trying to have the power in the hegemonic interests they have—they are closer to it, from my perspective, than at any other

time. If they already have their people suffering under sanctions as a result of their actions and they are using the resources they have not to help their people but to continue to spread terrorism throughout the region, then we can only wonder, when a deal is struck and large flows of money begin to return to Iran, what they will do with that money. It seems to me that you would have a strategy set up to think about that before you even get to a deal, assuming you can achieve a good deal.

But when I see them taking actions that, in my view, may not be a technical violation but are contrary to everything they are supposed to do, when you have independent groups such as the Institute for Science and David Albright and when you have the IAEA making these observations, for me, it has alarm bells and those alarm bells are worrying.

I think it is incredibly important, on what I believe is one of the most significant national security and international security order questions that will come before the Senate, that we not just look the other way but that we challenge, when these facts continue to come forward, about what is the truth behind them and what does it mean for any potential agreement and how we continue to judge Iran's actions in light of any potential agreement.

I know we are told constantly: This is not on hope, and that it is all going to be verified. It is not on trust, but it is all going to be verified. But I have to be honest with you—it depends when you keep defining what is or is not permissible. From my perspective, where we are headed is not what I think is in the national interest and security of the United States.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I know that we have a lineup of speakers. We have a speaker from Hawaii who is going to be here shortly, at which time I would be very pleased to yield, but I wish to make a couple of comments.

First, the fact that we are getting to this bill is great, because if you look at the last few years, we have not had a chance to do this until late in the year. The last 2 years it was December before we actually got around to it. It could have been a real crisis, because I think most of us in the Senate know that if we had gone to December 31, all kinds of things would have stopped—funding for a lot of our reenlistment bonuses and other things.

I applaud the chairman for using his influence to get this bill on floor so we could go ahead and get it passed. It is

something that we need to make sure the people who are out there risking their lives on a day-to-day basis know and that they know we are having this as our top priority.

I want to make one comment about sequestration. People are talking about putting equal amounts of increases—not just in the military or in the defense portion but also in the other portions of government, such as the IRS and the EPA—without recognition that as we went through the funding mechanism, we were taking money out of military on a 50–50 basis with non-defense moneys, while the military is only 16 percent of the budget. So we have already started at a great disadvantage.

As far as the OCO is concerned, that is kind of a desperate effort. It is not the way we should be doing it, but we must have the support and keep the readiness up with our troops.

We do have some good things that are in this bill, such as funding for the KC-46, the Paladin Integrated Management Program, the Long-Range Strike Bomber, and the F-35. So we are at least treading water here.

I wish to say one thing, though, that I didn't approve of in this bill, and we may try to make some changes on the floor. It is the BRAC process. I think we all know that the base realignment and closing process has been going on since 1987. This is no time to be doing something with that. I am very pleased that we are able to continue that and not see one for a period of time.

One thing that is consistent about BRAC rounds is that they all cost a lot of money in the first 5 years. People, if there is ever a time in the history of this body and of the military when we can't afford to take money out, it is now.

We have addressed a couple of things. There are some things that need to be fixed as we move on to the floor. I know that our chairman, Senator MCCAIN, has been asking people to bring down their amendments. I think we should be doing that, and I anticipate a lot of amendments will be coming down.

I wish to say one thing about Gitmo. There is this myth out there that somehow the terrorists think that we hurt people at Gitmo. Somehow they think it is something that should be altered and should be changed, but I don't believe that is the case.

I see the Senator from Hawaii is on the floor. I am cutting into his time right now. So I am going to continue comments throughout the rest of the afternoon, tomorrow, and yield back the time to him, which I have taken away from him for a few minutes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the chairman of the Environment and Public Works Committee for his gentlemanliness and for our ability to work together in spaces where we agree

and when we have to disagree, to be agreeable about it. I really appreciate that relationship.

Mr. President, I wish to talk about climate change, and I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. SCHATZ. Mr. President, climate change is real, it is caused by humans, it is urgent, and it is solvable. Climate change is real, it is caused by humans, it is urgent, and it is solvable. This year we have had some debates about climate change on the Senate floor and a majority of Members, including more than a few Republicans, have admitted that climate change is real and caused by humans. We have passed bipartisan amendments calling for the United States to reduce carbon pollution and to fight human-induced climate change. That is a necessary step in the right direction, but it is not enough.

We need to take real action. We need to focus on real solutions, and here is the exciting part. There are plenty of real-world cost-effective solutions to climate change. A lot of them empower every day Americans, giving them more control in terms of how they get their energy.

One of these solutions is distributed energy generation, or DG. DG is creating a real revolution in the energy sector by putting individuals and homeowners in control. The ability to own carbon-free power generation is helping everyday Americans realize that even though Washington is slow in the extreme on these questions, they can be part of the solution.

DG systems are small, but they provide major benefits. They can be more efficient, help promote national security, reduce electricity and fuel bills, and provide power during blackouts. Most important for fighting climate change, distributed generation lets us take advantage of major advances in clean energy. Through the use of renewable DG, such as small-scale wind, solar, and geothermal, Americans can take simple steps to reduce their carbon footprint.

This is the important thing about distributed generation, and we are seeing it across the country in red States and blue States, among conservatives and liberals. You don't have to be as passionate as I am about climate change to be enthusiastic about distributed generation, because nobody wants to pay more than is necessary on their electricity bill. The idea of generating your own electricity is very attractive to individuals—regardless of their ideology, regardless of their partisan affiliation. This has tremendous potential to save individuals, business, and institutions real money.

DG is changing the nature of the U.S. energy system. It is especially true in Hawaii, where more than 12 percent of our residents have rooftop solar, which is by far the highest rate in the United

States. Rooftop solar is the most well-known renewable DG resource—and for good reason. The price of solar panels has come down 80 percent since 2008, and the cost to install residential systems has dropped by about half since 2010—80 percent cheaper since 2008 for the panels and about half as expensive just to get them on a roof since 2010. The prices are going down and down, and the economics are changing. What we thought was possible with respect to distributed generation a couple of years ago is changing everything we know about the U.S. energy system.

In 2006, about 30,000 homes in the United States had rooftop solar. By 2013, that number had risen to over 400,000 homes. According to the Energy Information Administration and the Department of Energy, as many as 4 million homes could have solar panels within 5 years. But DG is far more than just rooftop solar. Small wind systems sized for homes, schools, farms, and remote communities are taking off, with over 74,000 turbines installed in all 50 States.

One family in upstate New York installed a small wind turbine on its farm in 2012. Rated at 50 kilowatts, it will actually run at 60 or 70 when the wind is strong. They liked it so much, three branches of the family decided to lease three 10-kilowatt turbines for their homes, expecting to make back their initial investment within 5 years and to make a profit after that.

Ed Doody, one of those farmers, says:

My wife says it's like change in your pocket. When it's running, you make a little money.

Small-scale biogas systems offer farmers and ranchers opportunities to save money on energy and reduce methane emissions. Over 250 farms in the United States have made this investment, and the economics work for many more.

One dairy farm in California has installed a system that uses manure to create and capture gas to run a 700-kilowatt generator. The farm saves \$800,000 per year in electricity and propane expenses and will earn back the money from its initial investment in just 4 years.

As you know, I am passionate about climate change, but you don't have to care about climate change to be excited about distributed generation. This is going to save people money, and that is the exciting thing about it.

There are many factors that are adding to the dramatic growth of distributed energy, including evolving State-level incentives and interconnection standards. But the most important reason has been the reduction in cost, especially when it comes to solar. It is simply getting cheaper for a homeowner or a farmer to see real savings by investing in clean energy.

A major reason for these cost reductions has been consistent, predictable, Federal and State support. From about 2005 until recently, Congress has done a fairly good job of providing consistent

support for clean energy and distributed generation. We provided long-term tax credits that helped industries scale up and appropriated funds for the DOE necessary to spur real innovation and bring down the costs.

But that consistent support has tapered off in recent years with the expiration of a number of important credits. The clean energy industry will suffer further when the business and homeowner tax credits for renewable energy expire at the end of next year. That is why I plan to introduce, in the coming weeks, a bill that would extend the homeowner tax credit for solar, wind, and geothermal. This credit allows Americans to take control of their own energy futures, and Congress should extend it.

The explosion in DG does pose real challenges. Electric utilities must adjust to a world where power flows in all directions, and the lines between ratepayers and generators become blurred. This challenges the traditional utility business model, and there is nowhere that is facing this challenge more seriously than the State of Hawaii, where we have a series of island grids and we have unprecedented penetration of renewable energy into the grid. The old standard used to be a maximum of 15 percent of intermittent energy onto the grid, but we have parts of our grid that are in the 25 to 35 percent intermittent energy. So there are real challenges in upgrading our grid system, upgrading our electricity system, and creating a smart grid that can accommodate all of this distributed generation.

But it also provides opportunities for innovation and the development of new American markets. This is not in the distant future, this is happening now. Each home, each business, each farm is now within reach of controlling its own energy future, often with carbon-free clean energy.

Distributed energy is a real solution to climate change, both in the United States and around the world. It has created a revolution in energy production that we must harness and accelerate for the challenge of climate change, but it is a challenge we meet.

What excites me so much about distributed generation is that as much as we were fighting about Keystone several months ago, as much as we are likely to have a fight over the Congressional Review Act, having to do with the President's Clean Power Plan, as much as I am, with Senator WHITEHOUSE's leadership, going to introduce a carbon fee, there are lots of things where we are, frankly, not going to be able to find agreement any time soon, there are spaces where we can work together. Allowing individuals to generate their own electricity and reduce their power bills seems to be a good place to start in terms of bipartisan energy legislation.

I thank the Presiding Officer for the time to speak about this exciting new possibility, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ELDER L. TOM PERRY

Mr. LEE. Mr. President, I rise to pay tribute to Elder L. Tom Perry, a member of the Quorum of the Twelve Apostles in the Church of Jesus Christ of Latter-day Saints. Elder Perry passed away on Saturday, May 30, 2015, at the age of 92.

L. Tom Perry was a giant of a man with an even larger soul. His enthusiasm for life energized and inspired all who came under his extraordinary influence. It has been said that ideas go booming through the world like cannons, thoughts are mightier than armies, and principles have achieved more victories than horsemen or chariots. Inspiring ideas, transformational thoughts, and powerful principles—these were the driving forces in Elder Perry's life and ministry and what made him such a positive force for good throughout the world.

It is true Elder Perry's booming voice carried his words far and wide, but it was his spiritual strength and positive perspective that set his cherished ideas on faith, family, and freedom booming to the four corners of the world and into the hearts of millions.

As a marine, as a businessman, and as an ecclesiastical leader, Elder L. Tom Perry was committed to helping people elevate their thoughts and lives. He was a man who knew what it meant to dream big, to be bold, and to never accept anything less than your best. His passion for life, people, and service was contagious. He was among the wave of marines to arrive in Japan as World War II drew to a close. Though he entered as a member of the occupation forces, his thoughts were focused on elevating those around him. He convinced a number of his fellow servicemen to spend their free time rebuilding a decimated Protestant chapel. Later, while in Saipan, he similarly lifted others by repairing a Catholic orphanage. Throughout his service as an LDS apostle, he was known for praising positive performance. Yet he also made sure that thoughts and sights were forever lifted up so individuals, families, and entire communities would strive to do, be, and become better. Elder Perry proved that thoughts are indeed mightier than armies.

L. Tom Perry was a man of principle and a man who recognized that believing in, living by, and teaching true principles was the key to success in every area of life. He taught that the family is the bulwark of society and central to the strength and vitality of

communities and nations. He believed the principle of freedom was universal and that all people should have the privilege to live in liberty. He declared that freedom was not a spectator sport and that we all have a sacred duty to defend and protect it. His faith carried him through difficult days and trying times. The principle of faith helped him help others. Elder Perry simply believed. He believed simply and showed that positively and enthusiastically believing was simply a better way to live. He believed in people, even—no, especially when they didn't have the faith to believe in themselves. His life demonstrated that true principles have achieved more victories than horsemen or chariots.

Elder Perry often claimed he was just an ordinary man. Yet his ideas, thoughts, and principles enabled him to live an extraordinary life. As an apostle in the Church of Jesus Christ of Latter-day Saints, he traveled the world sharing his profound testimony of Jesus Christ and his love for people from every walk of life. Elder Perry reminded us that we are to live our lives not by days but by deed, not by seasons but by service.

I am thankful for the life and ministry of Elder L. Tom Perry. He made a difference for his family, his community, his church, and our Nation.

Mr. President, I would like to finish where I began: Ideas go booming through the world like cannons, thoughts are mightier than armies, and principles have achieved more victories than horsemen or chariots. The booming legacy of Elder L. Tom Perry will echo in the hearts, reverberate in the minds, and warm the souls of many for generations to come.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. LEE. I will.

Mr. DURBIN. Mr. President, I am going to seek recognition.

Mr. TILLIS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, we do have Senator ALEXANDER scheduled briefly. Could I have a moment before the Senator seeks recognition?

Mr. DURBIN. I will be seeking about 5 minutes, no more. So if Senator ALEXANDER comes to the floor, he will not have to wait long.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the ranking member of this important committee, the Armed Services Committee, Senator JACK REED of Rhode Island, will be offering an amendment to the National Defense Authorization Act, which I support. I hold the title of vice chairman of the Appropriations Subcommittee on Defense and have served as chairman of that subcommittee as well.

This is an awesome responsibility—to handle the authorization bill for the

greatest military in the world, and I salute both my friend Senator REED and my friend Senator MCCAIN for the hard work they have put into this bill, but there is a fatal flaw in this bill. Senator JACK REED addresses it, and I want to speak to it for a minute.

Senator MCCAIN has stated publicly, with others on the Republican side, a sentiment that is shared on the Democratic side. We have to do away with sequestration once and for all. Sequestration is a bad idea. It was supposed to be so bad that we would never see it. It was supposed to be such an extreme, outrageous idea that it would never happen, but it did—because when we fail to hit the budget numbers, we automatically go into sequestration, which leads to across-the-board cuts, mindless across-the-board cuts. Those cuts hurt every agency of government when we did it, but most of all it hurt the Department of Defense.

If there is one agency that needs to be thinking and planning ahead, it is the Department of Defense, and sequestration, sadly, made cuts making it impossible for the planners at the Department of Defense to think ahead, to plan ahead.

So Senator MCCAIN has said—Senator REED has joined him and others have been in the chorus, me included. Senator MCCAIN has said: Once and for all, we need to get rid of sequestration. We need to have a budget process here that befits a great nation, and we don't.

Unfortunately, this authorization bill perpetuates some of the fundamental flaws of sequestration instead of solving the problem.

I am cosponsoring the amendment of Senator JACK REED. I believe we have to eliminate the budget gimmicks that are cooked into this Defense authorization bill. It doesn't do our servicemembers any service or our country any good for us to perpetuate this.

For the entire Federal Government to still face ultimately the threat of sequestration, across-the-board cuts—as vice chairman of the Defense Appropriations Subcommittee, I have heard testimony from the leadership of the Army, the Navy, Air Force, Marines, our Guard and Reserve that sequester-level budgets really harm our national security, and it makes sense.

How can you plan acquisition of important equipment? How can you be sure you can train our courageous young men and women if there is so much uncertainty with the budget? We know these cuts are going to have a dramatic negative impact on training for our servicemembers, grounded planes, wasted wrongheaded impacts to acquisition programs and more.

The National Defense Authorization Act includes the same budget gimmick that was offered in the Republican budget resolutions. It increases spending on something called overseas contingency operations by the same amount as sequestration would cut from the budget of the Department of Defense.

Let me explain. We fought two wars in Iraq and Afghanistan and we didn't pay for them. We added the cost of those wars to the national debt.

So this President came in and said we have to put an end to that. So we have to have actual appropriations, and we have to accept the reality that we may face future wars. They created an account called the overseas contingency operations account anticipating that wars might come along. Well, thankfully we have brought our troops home from Iraq and Afghanistan but for the limited commitment of troops to fight ISIS in Iraq at this moment.

What we have seen in this budget is the attempt to take these overseas contingency funds and take what was an emergency expenditure and build it into this budget, which is the problem. It was the wrong way to fix the problem earlier this year. It is the wrong way to try to fix sequestration now. Cranking up OCO spending on a 1-year basis just to get us through in the Department of Defense does nothing but add to our deficit and create a bigger problem next year. What are we going to do next year? No answer. That is why this is a gimmick. It is not fixing the sequestration challenge.

What do the Department of Defense leaders say? Are they celebrating because they are going to get this emergency money to come ride to the rescue this year? No. Secretary Ash Carter testified last month to the Appropriations Defense Subcommittee. He criticized this approach which is part of the bill before us. He called it "managerially unsound" and "unfairly dispiriting to our force." He then went on to say:

Our military personnel and their families deserve to know their future, more than just [one budget] one year at a time. . . . [O]ur defense industry partners—

Think about the contractors, for example, who are building the planes, the tanks, and the ships of the future—

[O]ur defense industry partners, too, need stability and longer-term plans, not end-of-year crises or short-term fixes, if they're to be efficient and cutting edge as we need them to be.

That is what the Secretary of Defense said.

Then General Dempsey, Chairman of the Joint Chiefs of Staff, came in uniform. What did he say about the budgetary approach we have before us in this bill? He emphasized that it, too, created problems because of the lack of predictability in defense budgets.

In testimony to the Senate Armed Services Committee, Admiral Gortney of Northern Command and General Kelly of Southern Command pointed out that numerous domestic agencies also contribute to our national security, and they noted the Department of Homeland Security, the FBI, and other law enforcement agencies that are all subject to these across-the-board cuts. So if we say that in the name of America's national security defense and security, we are going to take care of the

Department of Defense and then subject all these other agencies to across-the-board cuts, we will diminish protection for America. These agencies are important, too, not just the Army, Navy, Air Force, Marines, Coast Guard, but also the FBI. For goodness' sake, they fight terrorism every day. The Department of Homeland Security has the same responsibility, the same type of mission. As we go through the list on the so-called nondefense side, we find a lot of agencies that are critically important to keeping America safe, and this approach in this bill does nothing for them.

This gimmick will also come at the expense of other programs not directed exclusively at homeland security and national defense.

So if the Department of Defense gets relief from sequestration by using this overseas contingency operations maneuver, what are the odds that we are going to do the same for the FBI, the Department of Homeland Security, the Federal Aviation Administration, the Veterans' Administration, the National Institutes of Health, or America's infrastructure?

Let me say a word about that. The last time we did sequestration, I am embarrassed to say that we did an across-the-board cut at the National Institutes of Health. It was so damaging to NIH—which is the premier medical research agency in the world—it was so damaging that they are still trying to recover today. Before we went into sequestration—consider this—if you had an application for a medical grant at NIH, your chances before sequestration were one out of three. One out of three. After sequestration and the cuts that took place—one out of six.

There was recently a Fortune magazine which had a cover story about the Alzheimer's crisis facing America. I have done a little work in this area, and it is frightening to think about what we face. One American is diagnosed with Alzheimer's disease every 67 seconds in our Nation. I didn't believe that number and challenged my staff. They are right. Once every 67 seconds.

Last year, we spent \$200 billion in Medicare and Medicaid when it came to the Alzheimer's patients across America. That didn't even touch the amount of money families put into the care of their loved ones who are suffering from this disease. The projection of the rate of growth of Alzheimer's in America says that in just a few years, we will be spending more than \$1 trillion a year on that disease alone—the government, over \$1 trillion a year.

The Fortune magazine article—and the reason I rushed to buy it—says that at least two major pharmaceutical companies are starting to develop research that is promising to treat the onset of Alzheimer's, the early stages, and perhaps to alleviation some of the suffering. We have new imaging devices that are coming through that really can show Alzheimer's in living human

beings at the earliest stages when it can be treated or at least ultimately should be treated—let me make certain I say that correctly.

But if you look at these breakthroughs, as promising as they are, you will find that in every single instance, the National Institutes of Health was there before, doing the basic research leading to the new drugs that are being developed, leading to the new technology. What happens when you go through sequestration and cut the National Institutes of Health? You stop the research. You slow it down, at least, and in some areas actually stop it. Is that really in the best interests of this country?

So when we come to the rescue of the Department of Defense, as we should, and we say that the Budget Act—sequestration—has to come to an end when it comes to the Department of Defense, we can't ignore what sequestration's across-the-board cuts will do to so many other critically important agencies, such as the National Institutes of Health. Senator JACK REED of Rhode Island, the ranking member of the Armed Services Committee, is going to offer an amendment to try to address this honestly and directly, and I am going to support him.

Let's talk about infrastructure for a minute. Two weeks ago on the floor of the Senate, we gave the 33rd short-term extension of the Federal highway program, a short-term, 60-day extension. Let me ask, if you are planning to build an interstate highway, is 60 days enough? Hardly. Most of our Transportation bills have been long-term bills, 5- and 6-year bills, as they should be.

There are some Members of the Senate who question whether there should be a Federal program, but most of us believe there should be. And if there is going to be one, we can't limp along every 60 days or 6 months in funding it. Keeping this Budget Control Act and sequestration guarantees we are going to face this over and over again until Congress faces its responsibility.

The unfortunate reality is, if Congress cannot tackle the issue of sequestration honestly, directly, and head-on, our domestic agencies will likely be stuck with these artificial caps for years. America will pay a heavy price for our inability and unwillingness to tackle this challenging issue.

The Senate should be providing real sequestration relief not only to the Department of Defense but to all of the agencies of our government that do such important work. That should be our focus—not a budget gimmick using overseas contingency funds to get through 1 year with the Department of Defense but something more befitting of a nation like ours that deserves real leadership.

I urge my colleagues to support Ranking Member JACK REED's critical amendment so that we can begin to get serious about the challenges that face us.

I yield the floor.

Mr. TILLIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TILLIS. Mr. President, I ask unanimous consent that following leader remarks on Thursday, June 4, the Senate resume consideration of H.R. 1735; that there then be 30 minutes equally divided in the usual form on the following amendments; and that following the use or yielding of time, the Senate vote in relation to the amendments in the order listed: Portman No. 1522; Bennet No. 1540. I further ask that there be no second-degree amendments in order to any of these amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. TILLIS. Mr. President, I ask unanimous consent that Senators SHAHEEN and TILLIS or their designees be permitted to offer the next first-degree amendments during today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TILLIS. Senators should expect up to two votes tomorrow morning at 10:15. There are several more amendments in the queue, and my colleagues should expect votes throughout the day tomorrow to make progress on the bill.

AMENDMENT NO. 1506 TO AMENDMENT NO. 1463

Mr. TILLIS. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1506.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. TILLIS] proposes an amendment numbered 1506 to amendment No. 1463.

Mr. TILLIS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for the stationing of C-130 H aircraft avionics previously modified by the Avionics Modernization Program (AMP) in support of daily training and contingency requirements for Airborne and Special Operations Forces)

At the end of subtitle B of title I, add the following:

SEC. 141. STATIONING OF C-130 H AIRCRAFT AVIONICS PREVIOUSLY MODIFIED BY THE AVIONICS MODERNIZATION PROGRAM (AMP) IN SUPPORT OF DAILY TRAINING AND CONTINGENCY REQUIREMENTS FOR AIRBORNE AND SPECIAL OPERATIONS FORCES.

The Secretary of the Air Force shall station aircraft previously modified by the C-130 Avionics Modernization Program (AMP) to support United States Army Airborne and United States Army Special Operations

Command daily training and contingency requirements in fiscal year 2017, and such aircraft shall not be required to deploy in the normal rotation of C-130 H units. The Secretary shall provide such personnel as required to maintain and operate the aircraft.

Mr. TILLIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1494 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be set aside and, on behalf of Senator SHAHEEN, call up amendment No. 1494.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. SHAHEEN, proposes an amendment numbered 1494 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse)

At the end of subtitle G of title X, add the following:

SEC. 1085. DEFINITION OF SPOUSE FOR PURPOSES OF VETERANS BENEFITS TO REFLECT NEW STATE DEFINITIONS OF SPOUSE.

(a) SPOUSE DEFINED.—Section 101 of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “of the opposite sex”; and

(2) by striking paragraph (31) and inserting the following new paragraph:

“(31)(A) An individual shall be considered a ‘spouse’ if—

“(i) the marriage of the individual is valid in the State in which the marriage was entered into; or

“(ii) in the case of a marriage entered into outside any State—

“(I) the marriage of the individual is valid in the place in which the marriage was entered into; and

“(II) the marriage could have been entered into in a State.

“(B) In this paragraph, the term ‘State’ has the meaning given that term in paragraph (20), except that the term also includes the Commonwealth of the Northern Mariana Islands.”.

(b) MARRIAGE DETERMINATION.—Section 103(c) of such title is amended by striking “according to” and all that follows through the period at the end and inserting “in accordance with section 101(31) of this title.”.

Mr. REED. Mr. President, I ask unanimous consent that in order to maintain the practice of alternating between Republican and Democratic amendments, that the Shaheen amendment be considered as having been offered prior to the Tillis amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent to add Senator MURPHY, Senator MARKEY, Senator CASEY, Senator MURRAY, and Senator FRANKEN as cosponsors of the Reed amendment No. 1521 to H.R. 1735.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, if I may take this opportunity to urge all of my colleagues to submit whatever amendments they may have to the underlying legislation as quickly as possible. We have made some progress today, and we want to continue to make progress in terms of offering the amendments as well as setting up votes so we can continue to move the legislation along. That would require that we get, as quickly as possible, all of the possible amendments from both sides.

I particularly want to ask that my Democratic colleagues do so and that they also be prepared if they wish to comment and speak on the amendments if called upon to do so or at their convenience. I hope that advice will be followed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. TILLIS. Mr. President, on behalf of the leader, I have also been asked to announce that there will be no rollcall votes this evening.

The PRESIDING OFFICER. The Senator from Tennessee.

THE COST OF HIGHER EDUCATION

Mr. ALEXANDER. Mr. President, I thank the managers of the bill for allowing me a few minutes to report on a very interesting hearing we had this morning before our Senate education committee. It is a different subject

than the one on the floor right now, but it is one that both Senator REED and Senator MCCAIN have been interested in over time. It has to do with whether 22 million undergraduate students in America can afford to go to college and whether millions more high school students can look forward to going to college, and then we have millions more in graduate school who are continuing their education.

This affects our country as vitally as any subject, and I thought I would report to the full Senate and to the American people on the excellent, bipartisan hearing we had. This was the fourth hearing we have had in Congress on the reauthorization of the Higher Education Act. Our committee has already come to an agreement on a bill to fix No Child Left Behind that includes continuing important measurements of how we measure the progress of students in schools in America and then restore to States the responsibility for figuring out what to do about that.

We have 22 members on our committee, and we represent as much diversity of opinion in the Senate as exists, which is a lot of diversity of opinion. Yet, our work on fixing No Child Left Behind was unanimous.

Our next step will be to reauthorize the Higher Education Act that affects more than 6,000 colleges and universities in America. I am working with Senator MURRAY, the Senator from Washington, who is the ranking Democrat on the committee, and we hope to have that bill ready for the committee's consideration in early September.

The question before us this morning was, Can you afford to pay for college? I believe the answer for most Americans is yes, and for millions of Americans 2 years of college is free. It is never easy to pay for college, but it is easier than many think, and it is unfair and untrue to make students think they can't afford college. We should stop telling students they can't afford college.

Four weeks ago, I spoke at the graduation of 800 students from Walters State Community College in Morristown, TN. Half of those students were low income. Their 2 years of college was free or mostly free because taxpayers provided them a Federal Pell grant of up to \$5,700 for low-income students and the average community college tuition in the country is about \$3,300. So for the nearly 4 out of 10 undergraduate students in our country who attend roughly 1,000 2-year institutions, college is affordable. That is especially true in Tennessee, where our State has made community college free for every student who graduates from high school.

In addition to that 40 percent of students who attend the 2-year colleges, another 38 percent of undergraduate students go to public 4-year colleges and universities where the average tuition is about \$9,000. For example, at the University of Tennessee, Knoxville,